

**The Eastland Park Hotel  
Cumberland County  
Portland, Maine  
A-170-71-F-R**

**) Departmental  
) Findings of Fact and Order  
) Air Emission License**

After review of the air emissions license amendment application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

The Eastland Park Hotel has applied to renew their Air Emission License, permitting the operation of emission sources associated with their Portland, Maine hotel.

**B. Emission Equipment**

The Eastland Park Hotel is applying to include the operation of the following equipment to its air emissions license:

**Fuel Burning Equipment**

| <b>Equipment</b> | <b>Maximum Capacity (MMBtu/hr)</b> | <b>Maximum Firing Rate (scf/hr)</b> | <b>Fuel Type</b> | <b>Stack #</b> |
|------------------|------------------------------------|-------------------------------------|------------------|----------------|
| Boiler #1        | 8.37                               | 8,206                               | Natural Gas      | 1              |
| *HWH #2          | 1.44                               | 1,412                               | Natural Gas      | 2              |
| *HWH #3          | 1.44                               | 1,412                               | Natural Gas      | 3              |
| *HWH #4          | 1.9                                | 1,863                               | Natural Gas      | 4              |
| *HWH #5          | 1.9                                | 1,863                               | Natural Gas      | 5              |

\* HWH = Hot Water Heater

**Diesel Generator Units**

| <b>Equipment</b> | <b>Fuel Type, % Sulfur</b> | <b>Maximum Firing Rate</b> | <b>Power Output</b> |
|------------------|----------------------------|----------------------------|---------------------|
| Generator #1     | Diesel Fuel, 0.05%         | 6.23 gal/hr                | 75 kW               |
| Generator #2     | Diesel Fuel, 0.05%         | 6.64 gal/hr                | 80 kW               |

### C. Application Classification

The application for The Eastland Park Hotel of Portland, Maine does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only.

## II. BEST PRACTICAL TREATMENT (BPT)

### A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in Chapter 100 of the Department regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

### B. Boiler Units

The Eastland Park Hotel currently operates five boiler units, designated Boiler #1 and Hot Water Heaters (HWHs) #2, #3, #4 and #5, to satisfy the facility's heating and hot water needs. Boiler #1 was manufactured and installed in 1981 and has a maximum design heat input capacity of 8.37 MMBtu/hr firing natural gas. HWHs #2 and #3 were both manufactured in 1998 and have maximum design heat input capacities of 1.44 MMBtu/hr each. (HWHs #2 and #3 were previously designated Boilers #3 and #4 in the facility's previous air emission license.) HWHs #4 and #5 were both manufactured in 2002 and have maximum design heat input capacities of 1.9 MMBtu/hr each. (HWHs #4 and #5 were previously designated Boilers #5 and #6 in an amendment to the facility's previous air emission license.) Due to the age and size of the units, none of the units are subject to EPA New Source Performance Standards (NSPS) Subpart Dc, for boilers with heat input capacities of 10 MMBtu/hr or greater and manufactured after June 9, 1989.

As previously licensed, The Eastland Park Hotel is subject to a facility wide restriction of firing no more than 82 million standard cubic feet (MMscf) of natural gas per year on a twelve-month rolling total basis. Compliance shall be based on fuel purchase records that shall include fuel receipts from the supplier showing the quantity of fuel purchased. Fuel use records shall be maintained on a monthly basis, in addition to the twelve-month rolling total.

A summary of the BPT analysis for the boiler units is as follows:

1. PM emissions are subject to Chapter 103, however BPT is stricter. BPT for PM emissions shall be a limit of no greater than 0.05 lb/MMBtu. PM<sub>10</sub> emission limits are based on PM limits.
2. SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission limits for the natural gas fired units are based upon AP-42 data dated 7/98.
3. Visible emissions from the units are subject to Chapter 101 of the Air Regulations; however BPT is more stringent.

BPT for visible emissions from each natural gas fired unit stack shall not exceed 10% opacity on a 6-minute block average.

#### C. Diesel Generator Units

The Eastland Park Hotel makes use of two diesel generator units, designated Generators #1 and #2. Generator #1 is a Kohler manufactured generator with a maximum heat input capacity of 0.85 MMbtu/hr (75kW). Generator #2 is a Generac manufactured generator with a maximum heat input capacity of 0.91 MMbtu/hr (80kW).

As previously licensed, The Eastland Park Hotel is subject to a facility wide restriction of firing no more than 6,436 gallons of diesel fuel oil with a sulfur content of no greater than 0.05% sulfur by weight per year, on a calendar year basis. Compliance shall be based on fuel purchase records that shall include fuel receipts from the supplier showing the quantity of fuel purchased and supplier certification indicating the sulfur content of the fuel. Fuel use records shall be maintained on a monthly basis as well as on a calendar year basis.

A summary of the BPT analysis for Generators #1 and #2 is as follows:

1. BPT is a sulfur content not to exceed 0.05% sulfur by weight
2. Chapter 103 regulates PM emission limits. The PM<sub>10</sub> limits are derived from the PM limits.
3. NO<sub>x</sub>, CO, and VOC emission limits are based upon AP-42 data dated 10/96.

4. Visible emissions from each generator shall not exceed 20% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a continuous 3-hour period.

**D. Annual Emission Restrictions**

- The Eastland Park Hotel shall be restricted to firing no more than 82 MMscf of natural gas per year on a twelve-month rolling total basis.
- The Eastland Park Hotel shall be restricted to firing no more than 6,436 gal/yr of diesel fuel oil with a sulfur content of no greater than 0.05% sulfur by weight in the diesel units, based on a calendar year basis.

The Eastland Park Hotel shall be assessed fees based on the following annual emissions:

| <b><u>Pollutant</u></b> | <b><u>Tons/Year</u></b> |              |       |
|-------------------------|-------------------------|--------------|-------|
|                         | Boiler Units            | Diesel Units | Total |
| PM                      | 2.1                     | 0.1          | 2.2   |
| PM <sub>10</sub>        | 2.1                     | 0.1          | 2.2   |
| SO <sub>2</sub>         | 0.02                    | 0.13         | 0.15  |
| NO <sub>x</sub>         | 4.1                     | 1.9          | 6.0   |
| CO                      | 3.4                     | 0.4          | 3.8   |
| VOC                     | 0.2                     | 0.2          | 0.4   |

**III.AMBIENT AIR QUALITY ANALYSIS**

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a non major source shall be determined on a case-by case basis. Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source. An air quality analysis is not required for this amendment.

**ORDER**

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-170-71-F-R subject to the following conditions:

**STANDARD CONDITIONS**

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115.
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both.
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request.
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353.
- (6) The license does not convey any property rights of any sort, or any exclusive privilege.
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions.
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request.

- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license.
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license.
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- (i) perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - a. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - b. pursuant to any other requirement of this license to perform stack testing.
  - (ii) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - (iii) submit a written report to the Department within thirty (30) days from date of test completion.
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- (i) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

- (ii) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
- (iii) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement.
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation.
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.

### **SPECIFIC CONDITIONS**

(16) **Boilers Units**

- A. The Eastland Park Hotel is licensed to operate Boiler #1 with a heat input rate of 8.37 MMBtu/hr, HWHs #2 and #3 with heat input capacities of 1.44 MMBtu/hr each and HWHs #4 and #5 with heat input capacities of 1.9 MMBtu/hr each. [MEDEP Chapter 115, BPT]

- B. Total annual boiler unit fuel use shall be limited to 82.0 MMscf of natural gas per year based on a twelve-month rolling total. [MEDEP Chapter 115, BPT]
- C. Compliance with fuel restrictions shall be based on fuel purchase records that shall include fuel receipts from the supplier showing the quantity of fuel purchased. Fuel use records shall be maintained on a monthly basis, in addition to the twelve-month rolling total. [MEDEP Chapter 115, BPT]
- D. Emissions shall not exceed the following:

| <b>Equipment</b> |          | <b>PM</b> | <b>PM<sub>10</sub></b> | <b>SO<sub>2</sub></b> | <b>NO<sub>x</sub></b> | <b>CO</b> | <b>VOC</b> |
|------------------|----------|-----------|------------------------|-----------------------|-----------------------|-----------|------------|
|                  | lb/MMBtu | 0.05      | -                      | -                     | -                     | -         | -          |
| Boiler #1        | lb/hr    | 0.4       | 0.4                    | 0.005                 | 0.8                   | 0.7       | 0.05       |
| HWH #2           | lb/hr    | 0.1       | 0.1                    | 0.001                 | 0.1                   | 0.1       | 0.01       |
| HWH #3           | lb/hr    | 0.1       | 0.1                    | 0.001                 | 0.1                   | 0.1       | 0.01       |
| HWH #4           | lb/hr    | 0.1       | 0.1                    | 0.001                 | 0.2                   | 0.2       | 0.01       |
| HWH #5           | lb/hr    | 0.1       | 0.1                    | 0.001                 | 0.2                   | 0.2       | 0.01       |

[MEDEP Chapter 115, BPT]

- E. Visible emissions from each natural gas fired boiler stack shall not exceed 10% opacity on a 6-minute block average. [MEDEP Chapter 101]

(17) **Diesel Generator Units**

- A. The Eastland Park Hotel shall be restricted to firing no more than 6,436 gal/yr of diesel fuel oil with a sulfur content of no greater than 0.05% sulfur by weight in the diesel units, based on a calendar year basis. [MEDEP Chapter 115, BPT]
- B. Compliance with fuel restrictions shall be based on fuel purchase records that shall include fuel receipts from the supplier showing the quantity of fuel purchased and supplier certification indicating the sulfur content of the fuel. Fuel use records shall be maintained on a monthly basis as well as a calendar year basis. [MEDEP Chapter 115, BPT]

- C. Emissions shall not exceed the following [MEDEP Chapter 115, BPT]:

| <b>Emission Unit</b> |       | <b>PM</b> | <b>PM<sub>10</sub></b> | <b>SO<sub>2</sub></b> | <b>NO<sub>x</sub></b> | <b>CO</b> | <b>VOC</b> |
|----------------------|-------|-----------|------------------------|-----------------------|-----------------------|-----------|------------|
| Generator #1         | lb/hr | 0.3       | 0.3                    | 0.2                   | 3.8                   | 0.8       | 0.3        |
| Generator #2         | lb/hr | 0.3       | 0.3                    | 0.3                   | 4.0                   | 0.9       | 0.3        |



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- D. Visible emissions from Generators #1 and #2 each shall not exceed 20% opacity on a six-minute block average, except for no more than two 6-minute block averages in a continuous 3-hour period. [MEDEP Chapter 101]
- (18) The Eastland Park Hotel shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 MRSA §605-C).
- (19) The Eastland Park Hotel shall pay the annual air emission license fee within 30 days of February 28 of each year. Pursuant to 38 MRSA 353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for the revocation of the license under 38 MRSA 341-D, Subsection 3.

DONE AND DATED IN AUGUSTA, MAINE THIS                      DAY OF                      2005.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The term of this Order shall be for five (5) years from the signature above.

Date of initial receipt of application: **September 7, 2005**

Date of application acceptance: **September 15, 2005**

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by, Peter G. Carleton, Bureau of Air Quality